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TAGS: [PREL](#) [PHUM](#) [NL](#)  
SUBJECT: BOT RESPONDS TO PARLIAMENT ON CIA FLIGHTS

REF: 05 STATE 219905

[1](#)1. (SBU) Summary: Foreign Minister Bot told Parliament he had no credible information on illegal CIA flights. He repeated Secretary Rice's assurances regarding U.S. practices and said

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that he continues to emphasize to her the importance of human rights in the war on terror. We expect this issue to arise again in Parliament. End summary.

[1](#)2. (SBU) Bot was called to Parliament, to answer a February 15 article in national daily NRC Handelsbad, alleging the CIA had transported terrorist suspects through Dutch airspace and had landed at Dutch airports. The article was based on a report by Human Rights Watch and Ministry of Transport flight data. Bot appeared before Parliament on February 17 and followed up with a more detailed letter on February 21.

GONL: no knowledge of illegal flights  
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[1](#)3. (SBU) Bot stressed that the GONL had "no knowledge of CIA flights" carrying illegally detained terrorist suspects either crossing Dutch airspace or landing on Dutch territory. "The government," he said, "has neither actively nor passively extended cooperation on such flights" and has no "concrete indications" of such flights.

Reminding the U.S. to respect human rights  
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[1](#)4. (SBU) He repeated assurances given him by Secretary Rice that the United States respects international law with regard to the transfer of prisoners. He said that he had repeatedly reminded the Secretary "both bilaterally and in a European context ... of the importance of respecting human rights in the combat against international terrorism."

Light aircraft reporting requirements extremely limited  
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[1](#)5. (SBU) The Foreign Minister told parliament that the Human Rights Watch report provided scant detail, and the NRC Handelsbad article contained no new information. Even if the aircraft were shown to have been chartered by the CIA, he said, this would by no means indicate that illegally detained prisoners were aboard. He had no intention of researching past flights.

[1](#)6. (SBU) The Netherlands, he said, has "always advocated the freest possible civil aviation regime for persons and goods." The Chicago and Tokyo Conventions, which the GONL supports, require that light aircraft provide only a minimum of information to national aviation authorities. This information is generally insufficient to allow authorities to determine whether a flight might be carrying illegally

detained prisoners. Moreover, as long as an aircraft is still in flight, the country of registration retains jurisdiction. An aircraft making a technical landing - such as for refueling - remains outside Dutch jurisdiction.

¶17. (SBU) Bot explained that, under Dutch and European Union law, authorities may conduct inspections related to immigration control, customs and airworthiness. If concrete information were to raise suspicion of illegal prisoners, "appropriate measures" would be taken. Bot closed by saying that the GONL would consult with other European Union member states, with an eye toward arriving at a common approach to the issue.

Parliament likely to raise issue again

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¶18. (SBU) Comment: We fully expect this issue to be raised again in parliament.  
BLAKEMAN